

Panaji, 5th December, 2007 (Agrahayana 14, 1929)

SERIES I No. 35

OFFICIAL GOVERNMENT OF GOA GAZETTE



EXTRAORDINARY No. 3

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

7/3/2007-LA(Part)

The Prisons (Goa Amendment) Act, 2007 (Goa Act 12 of 2007), which has been passed by the Legislative Assembly of Goa on 25-01-2007 and assented to by the Governor of Goa on 28-11-2007, is hereby published for the general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 5th December, 2007.

The Prisons (Goa Amendment) Act, 2007

(Goa Act 12 of 2007)

AN

ACT

[28-11-2007]

Further to amend the Prisons Act, 1894 (Central Act 9 of 1894), in its application to the State of Goa.

Be it enacted by the Legislative Assembly of the State of Goa in the Fifty-seventh Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Prisons (Goa Amendment) Act, 2007.

(2) It shall be deemed to have come into force on the 10th day of October, 2006.

2. *Amendment of section 59.*— In sub-section (1) of section 59 of the Prisons Act, 1894 (Central Act 9 of 1894), as in force in the State of Goa,—

(i) in clause (8), for the expression “wards, cells”, the expression “wards, cells, higher security enclosures/prison” shall be substituted;

(ii) for clause (9), the following clause shall be substituted, namely:—

“(9) for the regulation by numbers, length or character of sentences, or otherwise, of the prisoners, including high security prisoners, to be confined in each class of prisons, classification of the undertrial;”;

(iii) for clause (10), the following clause shall be substituted, namely:—

“(10) for the governance of prisons, the welfare of prisoners, the appointment of all officers appointed under this Act and the establishment of armed guards and reserve guards;”;

(iv) in clause (12) for the word “instruction” the expression “instruction, vocational training” shall be substituted;

(v) in clause (17), after the expression “separation of prisoners” and before the figure”;”, the expression “and reception center” shall be inserted;

(vi) in clause (18), after the expression “prisoners under section 28” and before the

figure";", the expression "and the execution of sentence including to prisoners sentenced to death" shall be inserted;

(vii) in clause (25), after the expression "guidance of visitors of prisons" and before the figure";", the expression, ", welfare officer and his functions" shall be inserted;

(viii) in clause (26), for the expression "541 of the Code of Criminal Procedure, 1882 (10 of 1882)" the expression "417 of the code of Criminal Procedure, 1973 (2 of 1974)" shall be substituted;

(ix) in clause (27), for the expression "treatment and release of prisoners and"; the expression "treatment, correctional-cum-Orientation Course and release of prisoners;" shall be substituted;

(x) clause (30) shall be omitted.

3. *Repeal and Savings*— (1) The Prisons (Goa Amendment) Ordinance, 2006 (Ordinance No. 6 of 2006), is hereby repealed,

(2) notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act was in force on the day on which such thing or action was done or taken.

Secretariat,
Porvorim-Goa.

ANUJA PRABHUDESSAI,
Secretary to the
Government of Goa,
Law Department (Legal Affairs).

Dated: 5-12-2007.